

S/L. 14.
September 26, 2022.
MNS.

WPA No. 20362 of 2022

Sujit Kumar Dalui
Vs.
The Calcutta Electric Supply Corporation
Co. Ltd. and others

Mr. Subimal Ghorai

... for the petitioner.

Mr. Debjit Mukherjee

...for the CESC Limited.

Mr. Hare Krishna Halder

...for the State.

Leave is granted as per prayer of learned counsel for the petitioner to amend the cause tile introducing the second address of the private respondent no. 5 during the course of the day.

Learned counsel for the petitioner files an affidavit-of-service, which is kept on record, indicating that the private respondents have refused to accept service sought to be effected in proper manner by the petitioner.

As such, it is deemed that good service has been effected on the private respondents.

However, none appears for the private respondents when the matter is called on for

hearing, although the petitioner, the CESC Limited as well as the State are represented through counsel.

The contention of the petitioner, which is corroborated by learned counsel for the CESC Limited, is that due to obstruction raised by the private respondents, the CESC Limited personnel could not take any inspection for ascertaining the feasibility of giving electricity connection as sought by the petitioner.

At this stage, on instruction, learned counsel for the CESC Limited submits that the inspection has, in the meantime, been held by the CESC Limited and it is found feasible to give electricity connection to the petitioner.

However, at the time of giving such connection, the CESC Limited officials were obstructed by the private respondents and their men and agents from giving such connection to the petitioner.

Hence, WPA 20362 of 2022 is disposed of by directing the CESC Limited to give new electricity connection to the petitioner, subject to compliance of all formalities by the petitioner, as expeditiously as possible, positively within three weeks from date.

In the event the officials of the CESC Limited face any obstruction from the private respondents and their men and agents in giving such connection to the petitioner from the existing meter board position, it will be open to the CESC Limited personnel to approach the respondent no. 3, that is, the Officer-in-Charge, Sankrail Police Station, for adequate police assistance.

If so approached, the respondent no. 3 shall act on the written communication of the learned Advocate for the petitioner, accompanied by a server copy of this order, without insisting upon prior production of a certified copy thereof, to give such assistance at the cost of the petitioner and, if need be, any hindrance or padlock put up to prevent the access of the CESC Limited personnel in doing so, shall be broken open and/or removed by the police personnel while assisting the CESC Limited personnel.

There will be no order as to costs.

Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Sabyasachi Bhattacharyya, J.)